

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

ROWENA WAGNER, ) Civil Action No. 04-264 ERIE  
Plaintiff ) ) Judge Sean J. McLaughlin  
v. ) ) ELECTRONICALLY FILED  
CRAWFORD CENTRAL SCHOOL ) )  
DISTRICT, et al. ) )  
Defendants ) )

SECOND AFFIDAVIT OF CHARLES E. HELLER, III

1. I have been the Assistant Superintendent of Crawford Central School District from February 2002 through the current date.
2. The District has no control over which assignments day-to-day substitutes are given. Day-to-day substitute assignments are handled exclusively through Communications Center, Inc., a substitute placement service.
3. The District has never influenced Communications Center, Inc. to refrain from providing substitute assignments to Ms. Wagner.
4. I have not alerted Communications Center, Inc. that Ms. Wagner has filed a complaint or lawsuit.
5. Although I select and generally oversee the members of the interview committee, I do not, in any manner, influence their perceptions of the interviewees, what observations they record on the interview evaluations or how they score interviewees.
6. Each member of the interviewing committee independently used his or her own judgment in assessing each candidate.

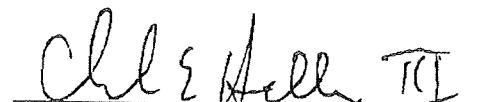
7. Naomi Uy-Moore possessed extremely impressive credentials, including 15 years of full-time teaching experience in Maryland, a Master's degree in curriculum and instruction and she was the top rated candidate during the District's interview process. Her hiring was not in any manner related to Plaintiff's lawsuit.

8. The District was misinformed by a representative of the Pennsylvania Department of Education that Ms. Uy-Moore's Maryland teaching certificate would be valid in Pennsylvania for one year before she had to obtain Pennsylvania certification. The error was discovered and corrected. Ms. Uy-Moore now has valid certification to teach in Pennsylvania.

9. Naomi Uy-Moore is of the same race (Asian) and nationality (Filipino) as Plaintiff.

10. The one person hired in violation of the District's anti-nepotism policy was for a position for which Plaintiff was not even certificated and for which she did not apply.

11. Joanne Darling was not a decision-maker responsible for Plaintiff's employment applications or the designation of interviewees.

  
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Charles E. Heller, III  
Assistant Superintendent of  
Crawford Central School District

COMMONWEALTH OF PENNSYLVANIA )  
COUNTY OF CRAWFORD ) SS:  
 )

BEFORE ME, the undersigned notary public, personally appeared Charles E. Heller, III, who being duly sworn according to law depose and say that he is Assistant Superintendent of Crawford Central School District and as such does further certify that the facts set forth in the foregoing Affidavit of Charles E. Heller, III are true and correct to the best of his knowledge, information and belief.

*Lisa L. Pittner*  
Notary Public

# 683112

